

MINUTES OF MEETING BOARD OF PUBLIC WORKS, JANUARY 12, 1940

The meeting of the Board of Public Works was held January 12, 1940 in the office of the Governor in the State House, Annapolis, Maryland.

There were present:

Herbert R. O'Connor, Governor  
J. Millard Tawes, Comptroller  
Hooper S. Miles, Treasurer

and Mr. Walter N. Kirkman, Director of the Department of Budget and Procurement.

BUREAU OF MINES:

The Secretary brought to the attention of the Board a request from the Bureau of Mines that they be permitted to take care of the expense of moving to Annapolis, State Office Building, from Baltimore out of their rent account in the department's budget, and in view of the claim of the Department of a lack of funds for this expense, the Board agreed that an amendment would be approved, where a new item "Moving Expense" would be created in the Bureau of Mines budget, to which would be transferred the amount of the bill for moving expense with a corresponding reduction in the amount appropriated for rent for the current year.

The Board Directed That the unexpended Balance for Rent be impounded and transferred to the General Treasury.

CONSERVATION DEPARTMENT:

The Secretary brought to the attention of the Board a letter received from the Conservation Department, stating that it would be impossible for that Department to take care of, out of the current budget, the bill for moving expense from Baltimore to the State Office Building, Annapolis, unless it would be permitted to pay this bill out of the appropriation for rent in the Department's budget. In view of the claim of the Department of a lack of funds for this expense, the Board agreed that an amount for this item in an amendment would be approved where a new item "Moving Expense" would be created in the Conservation's budget, to which would be transferred the amount of the bill for moving expense, with a corresponding reduction in the amount appropriated for rent for the current year.

The Board directed that the unexpended balance for rent be impounded and transferred to the General Treasury.

COURT COSTS:

Eisenberg vs. Harry H. Fine

The Secretary brought to the attention of the Board a communication from the State Law Department with a bill for \$18.75 in the Baltimore City Court covering costs in the case of Eisenberg vs Harry H. Fine, presiding Justice of the Northwestern Police Station. The State Law Department recommended payment of the bill by the State.

The Board approved payment out of the appropriation for the payment of Court Costs.

Home Owners Loan Corp. vs. Pittman, Clerk

The Secretary brought to the attention of the Board a communication from the State Law Department, submitting a bill from the Baltimore City Court for costs totaling \$284.50 in the case of the Home Owners Loan Corporation vs Pittman, Clerk of the Superior Court. The State Law Department recommended payment of the costs.

The Board approved payment of the bill out of the balance brought forward at September 30, 1939, in the Relief Funds to take care of the payment of refunds and other items of expense connected with the administration of Relief to September 30, 1939.

EASTERN SHORE STATE HOSPITAL:

The Secretary brought to the attention of the Board a letter from Dr. K. B. Jones, Superintendent of the Eastern Shore State Hospital, at Cambridge, advising that bids were opened at the Hospital on December 18, 1939 for the construction of a dining room, making alterations in the Administration Building, including equipment and also finishing the basement in the last new building, including installation of plumbing, heating and lighting equipment. The lowest bid was that of Charles E. Brohawn & Bros., Cambridge, who agreed to complete the work for the sum of \$26,556.00, which, together with the architect's fee of 6%, makes a total of \$28,149.36. The appropriation for this work is \$33,000.00. Dr. Jones requested that the Hospital be authorized to enter into a contract with Charles E. Brohawn & Bros. for the work as outlined, for their bid of \$26,556.00.

The Board approved the request of Dr. Jones.

GENERAL BOND ISSUE OF 1939:

The Governor submitted a telegram received by him from The New York Times, Financial Advertising Department, New York City, requesting that our advertisement for bids for bonds to be issued February 15th, 1940, be inserted in their paper.

The Secretary was instructed to advise the New York Times that the advertising for the bids had already been arranged for and that there would be no further advertising done.

CORPORATION TAXES:

The Secretary brought to the attention of the Board an offer to compromise franchise taxes, submitted by Stradley, Ronon & Stevens, of Philadelphia, attorneys, on behalf of Hamill Coal & Coke Company, whereby the sum of \$250.00 was offered in settlement of franchise taxes due by that corporation, which is in process of reorganization and is endeavoring to obtain a loan from the Reconstruction Finance Corporation.

The Board approved acceptance of the \$250.00 in settlement of the taxes for the years 1936, 1937 and 1938.

LEASES: State Agencies

The Board approved the following leases submitted, for the terms herein listed; on the standard forms approved by the Board:

Maryland Racing Commission: for the term of three years beginning February 1, 1940, at the annual rent of \$660.00, for space in the Maryland Trust Building.

State Board of Education: for the term of two years, beginning October 31, 1939, at the annual rent of \$4,888.00, for the space in the Lexington Building, with the Consolidated Gas Electric Light & Power Co., Baltimore.

State Department of Public Welfare: for the term of one year beginning November 15, 1939, at the annual rent of \$3,600.00, for two-story warehouse at 2405-07-11-13 W. Franklin Street, Baltimore, with Charles I. Elzey.

State Employment Commissioner: for the term of two years beginning on October 1, 1939, at an annual rent of \$4,600.00, for offices used by the Commissioner in the building at 20-24 Light Street, Baltimore, with William Martien & Co., Inc., Agent for Merchants and Manufacturers Association Building, Inc.

UNEMPLOYMENT COMPENSATION BOARD: for the term of one year from December 15, 1939, at an annual rent of \$1,380.00, covering branch office of the Board on the second floor of the old Post Office Building, Cumberland, Maryland, with the Mayor and City Council of Cumberland.

Board of Public Works: Union Trust Building, Baltimore.

Mr. Kirkman submitted to the Board a lease tendered by the Union Trust Company for certain space used by the State in the Union Trust Building, Baltimore, being the entire 10th Floor (Board of Public Works); entire 5th Floor (State Tax Commission); Office No. 701 (Maryland Real Estate Commission); and Office No. 702 (Comptroller's Office for the sale of alcoholic beverages tax stamps); the lease being for the term of 33 months, to commence January 2, 1940, at an annual rental of \$12,500.00 .

The secretary called attention to the fact that it has been customary, in the past, for the State Tax Commission to pay its own rent out of an appropriation therefore in its budget. Mr. Kirkman suggested that the rent appropriated to the State Tax Commission should be transferred to the rent account of the Board of Public Works and that, in the future, the rent for this space be paid direct by the Board of Public Works rather than through the budget of the State Tax Commission. This suggestion was approved by the Board.

The Board approved the lease as submitted by Mr. Kirkman.

MORGAN STATE COLLEGE:

The Secretary brought to the attention of the Board, copy of Resolution passed by the Commission on a State College for Negroes, whereby it was stated that the determination of the Commission was that the unexpended balance of the proceeds of the State Loan authorized by the General Assembly of 1939 should be used for the erection of a dormitory for women at Morgan State College.

The Board decided to withhold action on the recommendation, as it was expected that a statement relative to the College and its needs would be submitted by the Board of Trustees at the meeting of January 23, 1940.

NATIONAL YOUTH ADMINISTRATION FOR MARYLAND:

The Secretary brought to the attention of the Board a letter from Mr. Gilbert A. Crandall, County Supervisor of the National Youth Administration for Maryland, in which inquiry was made as to whether there would be some space available in the new State Office Building for use of the N.Y.A., which is now being housed in the Old High School Building, in Annapolis.

The Board felt that all of the space in the new building was needed for State agencies and that it would doubtless be out of order to make space in the building available to any agency other than those which are handling strictly State business.

MARYLAND STATE POLICE:

The Secretary brought to the Attention of the Board several communications which had been received in the interest of the installation of a police teletypewriter communication system for the Maryland State Police.

The Board is continuing to give this matter consideration.

MARYLAND PUBLICITY COMMISSION:

The Secretary advised that the Maryland Publicity Commission had been equipped with office furnishings and that these would be adequate, with the addition of some few other articles that would be necessary for the Commission to obtain from other sources. The furnishing made available to the Commission were items of furniture left by the Comptroller and the Treasurer in the Court of Appeals Building and some pieces of furniture for which the Comptroller and Treasurer would not have use after being moved into the State Office Building.

MARYLAND TRAINING SCHOOL FOR BOYS:

Mr. Kirkman submitted to the Board a set of Contract Documents for the construction of a Pasturizing Building and the reconstruction of Administrative Offices at the Maryland Training School for Boys, Loch Raven, Maryland, in accordance with plans and specifications prepared by Mr. Henry Powe ll Hopkins, architect, the low bidder being Colwill & Tovell of Baltimore, in the amount of \$10,772.00 .

The request of the Maryland Training School for Boys that the Board approve a contract for this work was recommended by Mr. Kirkman, and the Board concurred in the recommendation.

MARYLAND VETERANS COMMISSION:

The Secretary brought to the attention of the Board the case of the sale of a 1937 Ford sedan by the Maryland Veterans Commission without approval therefore having been received by the Commission from either the Director of Budget and Procurement or the Board of Public Works. A letter of explanation, which had been secured by the Comptroller's office from the Maryland Veterans Commission, was considered. In view of the circumstances, the Comptroller was authorized to receive into the State Treasury the payment of \$190.00 which the Commission received from the sale of the automobile. The Comptroller was instructed to credit this receipt to the Motor Vehicle Equipment account in the budget of the Maryland Veterans Commission rather than to "Extra Clerical Help" as was requested by the Commission, since the return of the money was properly creditable to the expense item out of which the automobile was originally purchased.

The Board requested Mr. Kirkman, Director of the Department of Budget and Procurement, to issue a bulletin to all State agencies, calling attention to the fact that it would be improper for any agency to dispose of State property without first securing the approval of either the Director of Budget and Procurement or the Board of Public Works.

MERIT SYSTEM:

The Secretary brought to the attention of the Board a letter received from Col. Harry C. Jones, State Employment Commissioner, relative to advertising amendments to the Merit System Rules made necessary by legislation of 1939. Col. Jones stated that it would require between \$125 and \$150.00 to advertise the amendments and that there was not sufficient money in his department's budget to take care of this cost.

The Secretary was requested to communicate with the Attorney General and ascertain whether it would be necessary to advertise these amendments in a newspaper or whether a circular of the amendment, by the State Employment Commissioner to the various State agencies, would suffice. \*\*

REFUNDS:

The Board approved refund of \$100.00 received in error from Sussex Fire Insurance Company for license issued by the State Insurance Department, payable out of the appropriation of \$25,000 in the 1940 Budget for refunds.

The Board approved refund of \$39.20 to J. Russell Summers, recommended by the Land Commissioner, covering money paid by him in connection with application for Warrants on two tracts of land while it developed afterwards that the land in question had been included in another patent issued by the Land Office.

REGISTER OF WILLS: Baltimore City

The Secretary brought to the attention of the Board correspondence between the Comptroller, Attorney General and the Register of Wills for Baltimore City, relative to inheritance taxes in the case of the Estate of John T. Radford.

It was found rather impractical to apportion the tax in this case and the Safe Deposit and Trust Company of Baltimore, Trustees, after conferring

with the Register of Wills of Baltimore City and The State Law Department, offered to pay the full amount of Collateral Inheritance Tax on the present value of securities held in Trust, rather than attempt to determine the amount of tax which might be due at this time and pay that, and later, from time to time, as further tax became due and payable to assess the tax at such times.

The State Law Department recommended the acceptance of the offer of the Safe Deposit and Trust Company to pay the tax in full at this time and close the file in the case.

The Board approved the recommendation of the State Law Department that the tax be accepted at this time, as a compromise, and that the files be closed as to any tax in the future about which some question might arise because of change of value of the securities, which might occur.

#### SPRINGFIELD STATE HOSPITAL:

The Secretary brought to the attention of the Board a communication from Dr. Ira A. Darling, Superintendent of Springfield State Hospital, setting forth a resolution adopted by the Board of Managers of the Hospital, relative to the covering with workmen's compensation insurance of the employees of the institution who might be injured in the course of their employment.

The Board instructed the Secretary to refer the matter to the Director of the Department of Budget & Procurement, so that consideration might be given it at the time of preparation of the next Budget, to include an appropriation to take care of the expense of carrying this insurance.

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The Secretary brought to the attention of the Board a communication from Elevator Engineering Company, Baltimore, complaining that Mr. Henry Powell Hopkins, architect, for the work at Springfield State Hospital, had informed them that their elevator would not be acceptable.

The Secretary was instructed to refer the matter to Mr. Hopkins with the request that he advise the Board with respect to this situation.

#### SPRING GROVE STATE HOSPITAL:

Dr. Silas W. Weltmer, Superintendent of Spring Grove State Hospital, and Mr. Henry Powell Hopkins, architect, appeared before the Board and submitted statements in connection with bids received on the new construction at that institution. There is an appropriation of \$10,000 made available to the Institution in the General Bond Issue of 1937 and an appropriation of \$285,000.00 to the Institution in the General Bond Issue of 1939. Dr. Weltmer submitted statement showing an allotment of \$205,710. for construction of buildings to take care of 200 patients - \$23,500. for Superintendent's Residence - \$38,000 for Water Storage Tank, Pumps, and Mains - \$9,000. for Furnishings - \$16,175.02 for the Architect's fee - \$2,614.98 for Contingencies, Surveys, and Advertising; aggregating a total of \$295,000.00, the amount available from the appropriations of 1937 and 1939.

Statement was also submitted showing that bids had been received from five contractors and that the Davis Construction Company was the low bidder, their price being \$267,210.00. The Board was requested to approve acceptance of the bid of the Davis Construction Company.

Dr. Weltmer also requested that he be authorized to transfer the sum of \$3,000 from General Construction to the work of construction of a storage tank and the installation of pumps and pipe lines to improve the water system, since the cost of this work was \$3,000 more than originally estimated.

The Board authorized Dr. Weltmer to proceed with making a contract with Davis Construction Company for the above work, and also approved the request that \$3,000 be transferred to the work of construction of a storage tank, etc. to supplement the amount available for work on the water system.

STATE DEPARTMENT OF EDUCATION:

## Frostburg Teachers College

The Secretary brought to the attention of the Board a letter addressed to the Comptroller relative to the salary of the dietitian-social director of the State Teachers College at Frostburg.

The Board felt that it could take no action in the matter because the reduction was made by the Legislature and not by the Budget Committee, and that it was felt regard must be had for the views of the Legislature when it acts in specific instances of this kind.

Towson Teachers College

The Secretary brought to the attention of the Board a communication from The State Law Department submitting a deed from the State of Maryland to Howard O. Firor, as authorized by Chapter 505 of the Acts of 1939, whereby the State conveys to Mr. Firor a parcel of land containing approximately six-tenths (6/10ths) of an acre of land adjacent to the State Teachers College at Towson, and in return for which the College is to receive title to a parcel of land owned by Mr. Firor, which adjoins the State Teachers College at Towson, the purpose of the exchange being to adjust some property lines to lands owned by the State and Mr. Firor.

The Board approved the deed and same was executed by the members of the Board.

STATE OFFICE BUILDING:

The Secretary brought to the attention of the Board a communication from Mr. Thomas M. Jenifer, Special Assistant Attorney General for the State Roads Commission, relative to title to Armory Place which is now being used as a part of the State Office Building grounds. Mr. Jenifer submitted with his letter a copy of letter addressed to him by Mr. Wm. J. McWilliams, who had examined the title to the property, and in the letter it is recommended that no consideration be given at this time to acquiring any possible interests which might be vested in the heirs or trustees of deceased persons who had some title interest in the alley years ago, as it is hardly likely that it will be possible to come up with any of these individuals at this late date.

Mr. McWilliams submitted a bill in the amount of \$125.00 to cover his services rendered in connection with the examination of the title to the bed of Armory Place. The bill was approved for payment.

STATE ROADS COMMISSION:

The Secretary submitted to the Board for execution Deed received from the State Roads Commission conveying to Wm. L. Buell and Rose Buell, his wife, certain land located in Howard County which is not necessary or desirable in the maintenance of the State system of Roads.

The execution of this Deed was approved and the members affixed their signatures to it.

WELFARE BOARDS:

The Secretary brought to the attention of the Board correspondence passing between Mr. Pierre N. LeBrun, Chairman of the Association of Chairmen of City and County Welfare Boards, and the Board of Public Works relative to the salaries of employees of the Department of Welfare and various Welfare Boards throughout the State.

The Secretary was instructed to communicate with Mr. LeBrun and ask him

to submit specifically just what is desired in the way of salary changes.

There being no further business, the meeting was adjourned.

*Joseph O. McCusker*  
Secretary